IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

CIVIL APPLICATION NO. 157 of 2007.
IN
SECOND APPEAL NO. 326 OF 1991.

Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Shri Umesh Mankapure for the Applicant.

Shri S.G.Deshmukh for the Respondents.

CORAM : ABHAY S.OKA, J.

DATED : 15th October, 2007.

P.C.:

1. Heard the learned Advocates appearing for the parties. The Application is strongly opposed by the Advocate for the Respondents. However, in view of the averments made in paragraphs Nos.3 to 5, a case for restoration of the Second Appeal is made out. However, the Respondents will have to be compensated by ordering payment of costs.

2. Accordingly the Application is allowed in terms of prayer clauses A and B. The Applicant will pay costs of Rs.1500/- to the Respondents within a period of six weeks from today.

3. Liberty to the Applicant to apply for restoration of interim relief.

Judge.